



IAP13 Rec'd PCT/PTO 31 OCT 2006  
Dkt. 433-US-PCT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Ask Püschl, et al.  
Application No.: 10/551,869 Confirmation No. 2039  
Filing or 371(c) Date: September 30, 2005  
International Application No.: PCT/DK2004/00243  
International Filing Date: April 02, 2004  
For: 4-(2-Phenylsulfanyl-Phenyl)-1,2,3,6-Tetrahydropyridine  
Derivatives As Serotonin Reuptake Inhibitors

215 College Road  
Paramus, NJ 07652  
October 31, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**COMMUNICATION IN RESPONSE TO SEPTEMBER 18, 2006 NOTIFICATION**  
**OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED**  
**STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

This Communication is submitted in response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), issued September 18, 2006, by the U.S. Patent and Trademark Office in connection with the captioned application.

Applicants are given two months from the mailing date of the Notification within which to file the required items and pay any fees required. A response to the Notification of Missing Requirements is due November 18, 2006. Accordingly, this Communication is being timely

filed.

Applicants are furnishing the following items to complete the requirements for acceptance under 35 U.S.C. 371:

1. Check No. 153232 in the Amount of \$1,090.00 to satisfy the supplemental fee problems as follows:
  - 1.1. \$360.00 as a non-small entity, to cover for multiple dependent claim surcharges;
  - 1.2. \$130.00 as a non-small entity, to cover the surcharge for late submission of Oath or Declaration of Inventors;
  - 1.3. \$400.00 as a non-small entity, to complete the search fee; and
  - 1.4. \$200.00 as a non-small entity, to complete the examination fee.
2. A fully executed Declaration of the Inventors in compliance with 37 CFR 1.497(a) and (b), identifying the International application number and international filing date.

Additionally, applicants enclose a copy of the original Notification of Missing Requirements (Form PCT/DO/EO/905).

Accordingly, applicants respectfully request that the application be duly examined.

If a telephone conference would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone the number provided below.

No fee, other than the \$1,090.00 for surcharge and additional fees, is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 50-

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Filing or 371(c) Date: September 30, 2005  
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3201.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dr. Nicholas J. Sisti", written over a horizontal line.

Dr. Nicholas J. Sisti, Esq.  
Registration No. 54,453  
Lundbeck Research USA, Inc.  
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Paramus, New Jersey 07652  
Tel: (201) 350-0781  
Fax: (201) 225-9571



Docket No.  
433-US-PCT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Ask Püschl, et al.

Group Art Unit: Not Yet Assigned

Application No.: 10/551,869

Examiner: Not Yet Assigned

Filed: September 30, 2005

For: 4-(2-Phenylsulfanyl-Phenyl)-1,2,3,6-Tetrahydropyridine Derivatives As  
Serotonin Reuptake Inhibitors

Date: October 31, 2006

**CERTIFICATE OF MAILING**  
**BY "EXPRESS MAIL" (37 C.F.R. § 1.10)**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

I hereby certify that the following correspondence:

**Communication in Response to September 18, 2006 Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (3 pages); Copy of Notification of Missing Requirements (PCT/DO/EO/905) (2 pages); Fully Executed Original Declaration (5 pages); Check for \$1,090.00; and return postcard**

is being deposited on October 31, 2006 with the United States Postal Service for "Express Mail Post Office to Addressee" delivery under 37 C.F.R. § 1.10 in an envelope bearing sufficient postage and addressed to:

**Commissioner for Patents**  
**PO Box 1450**  
**Alexandria, Virginia 22313-1450.**

**Enrique M. Hurtado**

(Typed Or Printed Name Of Person Mailing Correspondence)

(Signature Of Person Mailing Correspondence)

**EQ 147989571 US**

("Express Mail" Mailing Label Number)



11-01-06

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PCT

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,869	Ask Puschi	05432/100M738-US1

INTERNATIONAL APPLICATION NO.
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PCT/DK04/00243

I.A. FILING DATE	PRIORITY DATE
04/02/2004	04/04/2003

07278  
DARBY & DARBY P.C.  
P. O. BOX 5257  
NEW YORK, NY 10150-5257

CONFIRMATION NO. 2039

371 FORMALITIES LETTER



\*OC000000020457234\*

11/18/2006

Date Mailed: 09/18/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/30/2005
- Copy of the International Search Report filed on 09/30/2005
- Copy of IPE Report filed on 09/30/2005
- U.S. Basic National Fees filed on 09/30/2005
- Priority Documents filed on 09/30/2005
- Power of Attorney filed on 09/30/2005

Albeck Research USA, Inc.

Legal Department

OCT 16 2006

Entered in CPA 10/16/06  
Entered by M/KANG

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$360 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$1090 for a Large Entity:

- **\$130 Surcharge.**

- The application search fee has not been paid. Applicant must submit **\$400** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

- Total additional claim fee(s) for this application is **\$ 360**

- **\$360** for multiple dependent claim surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/551,869	PCT/DK04/00243	05432/100M738-US1